

**PROPOSITION 40: THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE
NEIGHBORHOOD PARKS AND COASTAL PROTECTION ACT OF 2002**

FACT SHEET
Updated July 30, 2002

The full statute is fourteen pages long. This is a simplified distillation to help in understanding the principals and workings of Prop. 40, focusing on how funds will eventually be distributed. For more information about this law or to review a copy of the bill text see <http://www.leginfo.ca.gov>. Search for the bill number (AB 1602), be sure to review the pdf file listed under the "chaptered" version, or see info at www.parks.ca.gov.

On March 5, 2002, the voters of the State of California passed Proposition 40 (Prop 40).

This bill enacted **THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION ACT OF 2002** which will "finance a program for the *acquisition, development, restoration, protection, rehabilitation, stabilization, reconstruction, preservation, and interpretation of park, coastal, agricultural land, air, and historical resources....*"

Current Funding Status: Bonds have not been sold and funds are not immediately available. There will generally be two ways that funds will be released: the "per capita" program and the grant application program. While amounts have been drafted for the per capita program, monies will not be released until bonds have been sold. Applications for grants are not yet available, however could be by winter of 2003 for fund release in spring of that year.

Funding Appropriation

The Act sets up a Fund named after the Act whereby proceeds from the sale of bonds issued are deposited and appropriated by the Legislature in the amount of **(\$2,600,000,000.)** in four general categories and according to the following schedule:

A) State Parks-\$225,000,000 for acquisition and development of the state park system. First Priority shall be for development projects to complete and expand visitor services and for restoration projects. Not more than 50 percent may be used for acquisition.

B) Local Assistance Programs-\$832,500,000 for local assistance programs for the acquisition and development of neighborhood, community and regional parks and recreation areas.

Appropriations in this category are available for programs according to the following schedule:

- \$350,000,000 for the acquisition and development of neighborhood, community, and regional parks and recreation lands and facilities in urban and rural areas.
- \$200,000,000 for grants in accordance with the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act. (This act was set up to assist

urbanized areas provide more parks and related programs; special provisions exist to allocate funds here, however priority is given to larger cities, e.g. San Francisco, Los Angeles)

- 22,500,000 on a per capita basis in accordance with subdivision (g) which indicates that, of the total amount in this category, \$12,500,000 shall go to a city with a population greater than three million the remaining amount shall go to two “first class” counties in the amounts of \$500,000 and \$10,000,000, respectively.
- \$260,000,000 for urban and special need park programs in accordance with Section 5096.625, which states these funds are for public agencies and nonprofit organizations for the acquisition and development of new parks, botanical gardens, nature centers, and other community facilities in park poor communities. (There are specific provisions and places, e.g. City of Los Angeles, outlined in the Statue for this funding so please refer to the text of the Act for more details).

C) Land, Air, and Water Conservation-\$1,275,000,000 for land, air, and water conservation programs including acquisition for those purposes.

Appropriations in this category are available for programs according to the following schedule:

- \$300,000,000 to the Wildlife Conservation Board (WCB) for the acquisition, development, rehabilitation, restoration, and protection of habitat that promotes the recovery of threatened and endangered species that provides corridors linking separate habitat areas to prevent habitat fragmentation, and that protects significant natural landscapes and ecosystems such as old growth redwoods, and oak woodlands and other significant habitat areas. Also, under Wildlife Conservation Law, funding from this category can be used to prepare management plans for properties acquired in fee by the WCB.
- \$445,000,000 to conservancies for the acquisition, development, rehabilitation, restoration, and protection of land and water resources. (Specific recipients are listed in the Act)
- \$375,000,000 to public agencies and nonprofit organizations for acquisition, development, restoration and associated planning, permitting, and administrative costs for the protection and restoration of water resources in accordance with the following schedule:
 - \$75,000,000 for the acquisition and development of river parkways and protecting urban streams.
 - 300,000,000 for the purposes of clean beaches, watershed protection, and water quality projects to protect beaches, coastal waters, rivers, lakes, and streams from contaminants, pollution and other environmental threats.
 - \$50,000,000 for grants to air districts for projects that reduce air pollution that affects air quality in state and local park and recreation areas.

- \$20,000,000 to the California Conservation Corps for the acquisition, development, restoration, and rehabilitation of land and water resources.
- \$5,000,000 shall be available for resource conservation activities.
- \$15,000,000 to local conservation corps for acquisition and development of facilities to support local conservation corps programs.
- \$75,000,000 for the preservation of agricultural lands and grazing lands, including oak woodlands and grasslands.

D) Historical and Cultural Resources Preservation-\$267,500,000 for the acquisition, restoration, preservation, and interpretation of California's historical and cultural resources.

Eligible projects include, but are not limited to, those which preserve and demonstrate the following:

- Culturally significant aspects of life during various periods of California history including architecture, economic activities, art, recreation, and transportation.
- Unique identifiable ethnic and other communities that have added significant elements to California's culture.
- California industrial, commercial, and military history including the industries, technologies, and commercial activities that have characterized California's economic expansion and California's contribution to national defense.
- Important paleontological, oceanographic, and geologic sites and specimens.
- Two other appropriations in this section are for specific projects. (See bill text)